IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 24302 of 2005

Between:

Kolla Harinath Rao S/o Late Chinnaiah
Siva Nilayam, R/o H. No. 27/111/1118,

Saraswathi Nagar, Nellore

..... PETITIONER

AND

1. The Station House Officer, II Town Police Station,

Nawabpet, Nellore
2. The Superintendent of Police, Nellore
3. Somisetty Financiers, rep by Partner Somesetty

Balakasaiah, S/o Chinna Kasaiah
Chinna Bazar, Nellore

.....RESPONDENTS

The Court made the following:

ORDER:

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Questioning the action of the 1st and 2nd respondents in not taking any action on the complaint made by the petitioner, the present writ petition has been filed.

The case of the petitioner, in brief, is that the 3rd respondent is a partnership firm doing money lending business and he has been visiting its office for clearing the old

dues. After settlement of the old dues, 3rd respondent promised him to provide a new loan and took his signatures on blank cheques and promissory notes. Subsequently, he protested, but they have presented the blank cheques and some of them were dishonoured. Thereafter, he lodged a complaint on 24.11.2002 before the first respondent. In spite of making several complaints by the petitioner, the police have not taken any action so far.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Having perused the material on record, no particulars have been furnished by the writ petitioner as regards the blank cheques issued by him or the documents said to have furnished by him.

Having regard to the facts and circumstances of the case, I am of the considered view that the dispute is purely civil in nature and in such cases the police cannot have any right to interfere with the matter. The remedy of the petitioner is else where. Therefore, the writ petition is totally devoid of merits and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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(V. ESWARAIAH, J)

Date: 15.11.2005

Ksn